

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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	:	CASE NO.: 18-72911
IN RE:	:	
	:	CHAPTER: 13
Maria DeRosa	:	
	:	HON. JUDGE.:
Debtor	:	
	:	ROBERT E. GROSSMAN
	:	
	:	

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NOTICE OF OBJECTION TO DEBTOR'S REQUEST FOR LOSS MITIGATION

PLEASE TAKE NOTICE that Fay Servicing, LLC as servicer for Wilmington Trust, National Association, not in its individual capacity, but solely as trustee for MFRA Trust 2014-2 ("Secured Creditor"), the holder of a mortgage on real property of the debtor(s), by and through its undersigned attorneys, hereby objects to the request to enter loss mitigation on grounds including:

1. Secured Creditor holds the mortgage on Debtor's residence which is located at 82 Philadelphia Avenue, Massapequa Park, NY 11762 (the "Property"). Debtor filed the instant bankruptcy filing on April 30, 2018.
2. Debtor filed a request for loss mitigation, however, this Debtor has hand ample time to request loss mitigation but has not done so. The last loss mitigation review was closed out by Secured Creditor on July 17, 2018 for inactivity by the Debtor.
3. The above facts and history of this case show a Debtor interested in stalling the Secured Creditor's foreclosure process. If the Court granted the Debtor's request for loss mitigation, Secured Creditor would be substantially harmed. In this case, Secured Creditor has absolutely acted in good faith in loss mitigation review, but the Debtor has failed to supply documents needed to procure a review. It is the belief of the Secured Creditor that the Debtor(s) are using the protection of the Bankruptcy process to impede Secured Creditor's foreclosure action.
4. For the reasons stated above, and for any others that the Court deems fit to adopt, Secured Creditor respectfully objects to Debtor(s) request for loss mitigation.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

FRIEDMAN VARTOLO LLP
85 Broad Street Suite 501
New York, New York 10004
Attorneys for Fay Servicing, LLC as
servicer for Wilmington Trust, National
Association, not in its individual
capacity, but solely as trustee for MFRA
Trust 2014-2
By: /s/ Adam J. Friedman

Adam J. Friedman, Esq.

Date: July 27, 2018

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CERTIFICATION OF SERVICE

On July 27, 2018, I served a true copy of the annexed **NOTICE OF OBJECTION TO LOSS MITIGATION** by mailing the same by First Class Mail in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known address of the addressee, and the property address as indicated on the attached Service List annexed hereto.

By: /s/ Adam J. Friedman
Adam J. Friedman, Esq.
FRIEDMAN VARTOLO LLP
85 Broad Street, Suite 501
New York, New York 10004
T: (212) 471-5100
F: (212) 471-5150

SERVICE LIST

Maria DeRosa
82 Philadelphia Avenue
Massapequa Park, NY 11762
Debtor

Anthony M Vassallo
Law Office of Anthony M. Vassallo
305 Fifth Avenue
Suite 1B
Brooklyn, NY 11215
Debtor's Attorney

Michael J. Macco
2950 Express Drive South
Suite 109
Islandia, NY 11749
Trustee

United States Trustee
Long Island Federal Courthouse
560 Federal Plaza – Room 560
Central Islip, NY 11722-4437
U.S. Trustee